

**MINUTES OF THE REGULAR MEETING OF THE PLANNING BOARD OF
THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM,
VILLAGE HALL, ON WEDNESDAY, JULY 10, 1996.**

Members

Present: Patrick J. Gilmartin, Chairman
Robert Buford
William Hoffman
Peter Lilienfield

Members Absent: William Bush

Also Present: Kevin J. Plunkett, Village Counsel
Ralph Mastromonaco, Consultant to the
Planning Board
Brenda Livingston & Joseph Elliot, Ad Hoc
Planning
Board Members
Eugene Hughey, Building Inspector
Florence Costello, Planning Board Clerk
Walter Schoepf, EC.B. Member
Applicants and other persons mentioned in
these Minutes
Members of the Public.

IPB Matters

Considered: 90-07 -- Wells Subdivision
Sht. 13B, P-19
94-03 -- Westwood Development Associates,
Inc.
Sht. 10,11, Lot 25,25KP25J2
96-12 -- Shane & Michelle Coppola
Sht. 13, P-100
96-13 -- Louis W. Goodkind
Sht. 10F, Bl. 253, Lot15
96-14 -- Joseph & Norah Clarke
Sht. 5, Bl. 212, Lot(s) 35,35A,37
95-15 -- Andrew Caracciolo - Informal

Discussion

Sht. 6, Bl. 215, Lot 11
96-16 -- Kevin & Jean McLoughlin
Sht. 1, Bl. 245, Lot 9

The Chairman called the meeting to order at 8:00
P.M.

**IPB Matter #94-03:
Development**

Site Development

Broadway,

**Application of Westwood
Associates, Inc., for Limited
Plan Approval for property at
Riverview Road and Mountain Road.**

This matter was adjourned until the Board's August meeting at the request of the Applicant.

The Chairman considered Administrative Matters:

1. The Chairman noted receipt of a memo from Larry Schopfer, Clerk-Treasurer, dated June 19, 1996, regarding the Bracebridge Performance Bond Release, requesting the Board's comments or questions to release Phase I letters of credit. Mr. Schopfer attached a request by David Steinmetz, Esq. on behalf of his client R.R. Irvington/Bracebridge for the release of the Phase I letters of credit, approvals by Ralph Mastromonaco and Robert Bauer and noted Kevin Plunkett, Esq. concurrence with the release. The Chairman's memo to Larry Schopfer, dated June 20, 1996, stated the Board had no objection to the release of the Phase I letters of credit.

2. Minutes of the Planning Board held on June 5, 1996, previously distributed, were, on motion duly made and seconded, approved.

**IPB Matter #96-09:
Barbara Cohen for**

for property

**Application of Rodgin &
Site Development Plan Approval
at 21 Matthiessen Park.**

The Chairman noted for the record that on IPB Matter #96-09 (Rodgin & Barbara Cohen, 21 Matthiessen Park) it was not necessary to make a Negative Declaration as done last month. Under the revised SEQRA Regulations which became effective earlier this year, a Negative Declaration is

not required by SEQRA on Type II applications even if a critical area is involved.

IPB Matter #96-07:
Fazlollah Moghtaderi

Informal Discussion of
regarding property at 1 Belmont
Road.

The Chairman noted that based on a report by William Hoffman that on June 6, the Dobbs Ferry Planning Board had agreed with the Irvington Planning Board's recommendations. Gerald Reilly, Esq., stated that the conditions were being written on the final plat. The site has been declared adequate by the Department of Public Works of the Village of Irvington for water and sewers.

IPB Matter #96-13:
Goodkind for Site

Application of Louis W.
Capacity Determination & proposed
subdivision
for property at Harriman Road &
Fieldpoint
Drive.

Gerald D. Reilly, Esq., appeared for the Applicant. Applicant submitted an Application for Site Capacity Determination and Application for Subdivision Approval for his two plus acre parcel bordered on two sides by Harriman Road and Fieldpoint Drive, and drawings prepared by Charles Riley, Land Surveyor: Topography , dated October 15, 1992 and Preliminary Subdivision, dated April 10, 1996. The Chairman read a letter from the Village Environmental Conservation Board dated July 8, 1996 giving its comments in light of the fact that the property is on the Village's Open Space Inventory.

The Board did not believe that there was sufficient information to make a site capacity determination. The Board requested that a survey be submitted which showed (1) The relationship of this property to adjacent property, including property owned by the Applicant, (2) the metes and bounds of the spillway, what crosses the site, together with confirmation as to whether the spillway is an easement or owned by the Village, (3) the metes and bounds of the wetland included within the

property and (4) a more precise description of the areas of steep slopes and other deductions for environmental resources.

IPB Matter #96-12:
Michelle Coppola for

Approval for

East.

Application of Shane &
Waiver of Site Development Plan
property at 33 Ardsley Avenue

Louis Contadino, Architect, appeared for the application. Applicant paid the required application fee and furnished evidence of mailing of required Notice to Affected Property Owners. Proposed development consists of a relocation and expansion of the existing attached garage, with living space above, and a relocation of the existing driveway.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public. The Board then determined that the application is for a proposed action which is a Type II action under SEQRA.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed alteration meets conditions which permit Site Development plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not

have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan approval for this Application

IPB Matter #96-14:
Norah Clarke for

Application of Joseph &
Site Development Plan Approval
for property
at 10 Barney Park.

William A. Sharman, Architect, and Mr. Joseph Clarke appeared for the application. Applicant paid the required application fee and furnished evidence of mailing of the required Notice to Affected Property Owners. Proposed development consists of a two-story addition to a single family residence. The addition will have a floor area of 883 square feet, which will increase the existing floor area of the house to a total of 2,477 square feet.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public. The Board then determined that the application is for a proposed action which is a Type II action under SEQRA.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed alteration meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or

resources requiring protection, and will not require major site disturbance or removal of trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE,** the Planning Board hereby waives all requirements for Site Development Plan approval for this Application.

IPB Matter #96-16:
McLaughlin for

Application of Kevin & Jean

Approval for

Waiver of Site Development Plan

property at 17 Meadowbrook Road.

Basil T. Callimanis, Architect, appeared on behalf of the application. Applicant paid the required application fee and provided evidence of mailing of required Notice to Affected Property Owners. The proposed development consists of a 10 ft. connecting room from house to garage, adding approximately 270 square feet of floor area and a volume approximately 2,700 cubic feet.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed alteration meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist to make submission of information normally required as part of an application for Site Development Plan Approval

inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of trees, (2) that in these circumstances to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE,** the Planning Board hereby waives all requirements for Site Development Plan approval for this application.

IPB Matter #96-15:
Andrew Caracciolo

Informal discussion of
for property at 18 Croton Place.

Mr. Andrew Caracciolo appeared on his own behalf for preliminary discussion of subdivision . The Board informed him that the required information had to be gathered to permit a site capacity determination to be made. A new topographical survey and subdivision map will be required. The Applicant was told that he will also have to go to the Zoning Board to request a number of variances.

IPB Matter #90-07:
Subdivision for Preliminary

Application of Wells
Subdivision Approval for property
at Lewis Road & Emory Road.

Gerald Reilly, Esq., appeared on behalf of the application. Drawing submitted: Preliminary Plat of the Wells Subdivision, prepared by Kenneth B. Salzmann, dated September 18, 1989, drawing signed "approved pursuant to Sec. 207.8 of the Village Code the 10th day of July 1996". The Board reviewed the preliminary plat and a proposed Resolution approving same. Certain changes in the proposed Resolution were required and the matter was carried over to the Board's August meeting for further action.

There being no further business, the meeting was adjourned.

Respectfully submitted,

William Hoffman, Secretary